

2007 DRAFTING REQUEST**Assembly Substitute Amendment (ASA-AB410)**Received: **07/12/2007**Received By: **rnelson2**Wanted: **As time permits**

Identical to LRB:

For: **Karl Van Roy (608) 266-0616**By/Representing: **Ron Schlansky**This file may be shown to any legislator: **NO**Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Administrative Law**Extra Copies: **Ron Sklansky, LC**Submit via email: **YES**Requester's email: **Rep.VanRoy@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Legislative review of administrative rules

Instructions:

same as -2259, AB 410, except make same change in 227.19 (5) (b) 1. a.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

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2007 - 2008 LEGISLATURE

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RPN:.....

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~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~
ASSEMBLY SUBSTITUTE AMENDMENT ,
TO 2007 ASSEMBLY BILL 410

1 **AN ACT ...; relating to: ???**

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2

(END)

2007 ASSEMBLY BILL 410

June 14, 2007 – Introduced by Representatives LEMAHIEU, NASS, LOTHIAN, ALBERS, VOS, HAHN and BIES, cosponsored by Senator GROTHMAN. Referred to Committee on State Affairs.

Regen

- 1 AN ACT *to amend* 227.19 (4) (b) 1. a., 227.19 (4) (b) 1. b., 227.19 (5) (b) 1. b. and
2 227.21 (2) (a) of the statutes; **relating to:** legislative committee review period
3 of administrative rules and revisor consent regarding technical standards in
4 rules. ✓

Analysis by the Legislative Reference Bureau

Under current law, the attorney general and revisor of statutes must give consent before an agency may adopt technical standards in a proposed rule by reference to the publication where they appear, rather than placing the standards in the proposed rule. However, the statutes only give the attorney general directions as to when he or she shall give that consent. This ~~bill~~ removes the requirement that the revisor of statutes must consent to the adoption by reference of the standards.

Currently, a legislative committee, including the Joint Committee for Review of Administrative Rules, has 30 days after a rule is referred to the committee to review the proposed rule. If the committee chairperson requests that the agency proposing the rule meet with the committee or posts a notice that the committee will hold a meeting to review the rule, current law extends the committee review period for an additional 30 days. However, current law provides that the 30-day extension begins on the day that the committee chairperson requests the meeting or on the day that the notice is posted, not at the end of the first 30-day review period. This ~~bill~~ removes the requirement that the 30-day extension begins on the day that the

substitute amendment

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committee chairperson requests the meeting or on the day that the meeting notice is posted.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 227.19 (4) (b) 1. a. ^X of the statutes is amended to read:

2 227.19 (4) (b) 1. a. Request in writing that the agency meet with the committee
3 to review the proposed rule. ~~The continuation of the review period begins on the date~~
4 ~~the request is sent to the agency.~~

5 **SECTION 2.** 227.19 (4) (b) 1. b. ^X of the statutes is amended to read:

6 227.19 (4) (b) 1. b. Publish or post notice that the committee will hold a meeting
7 or hearing to review the proposed rule and immediately send a copy of the notice to
8 the agency. ~~The continuation of the review period begins on the date the notice is~~
9 ~~published or posted, whichever is earlier.~~

10 **SECTION 3.** 227.19 (5) (b) 1. b. ^X of the statutes is amended to read:

11 227.19 (5) (b) 1. b. Publish or post notice that the joint committee for review
12 of administrative rules will hold a meeting or hearing to review the proposed rule and
13 immediately send a copy of the notice to the agency. ~~The continuation of the review~~
14 ~~period begins on the date the notice is published or posted, whichever is earlier.~~

15 **SECTION 4.** 227.21 (2) (a) ^X of the statutes is amended to read:

16 227.21 (2) (a) Except as provided in s. 601.41 (3) (b), to avoid unnecessary
17 expense an agency may, with the consent of ~~the revisor and~~ the attorney general,
18 adopt standards established by technical societies and organizations of recognized
19 national standing by incorporating the standards in its rules by reference to the

ASSEMBLY BILL 410

- 1 specific issue or issues of the publication in which they appear, without reproducing
- 2 the standards in full.

3 (END)

insert 2-9

Section #. 227.19 (5) (b) 1. a. ^x of the statutes is amended to read:

227.19 (5) (b) 1. a. Request in writing that the agency meet with the joint committee for review of administrative rules to review the proposed rule. ~~The continuation of the review period begins on the date the request is sent to the agency.~~ ✓

History: 1985 a. 182; 1987 a. 253; 1987 a. 403 s. 256; 1989 a. 175; 2001 a. 87; 2003 a. 118, 277; 2005 a. 249.

(end ins)